

ORIGINAL

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

10 CV

8843

F&H Tradename, LLC and
Charles Square Cambridge LLC

Plaintiff

v.

NY Charles Hotel, Inc. and Charles Chong, a.k.a.
Chol Ho Chong, individually

Defendant

JUDGE KEENAN

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* NY Charles Hotel, Inc., 893 Broadway, New York, NY 10003

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Nels T. Lippert
Nicole E. Feit
Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue
New York, NY 10022

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT

Date: 11/23/2010

Catherine Lapsley
Signature of Clerk or Deputy Clerk

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Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

EPS Judicial Process Service, Inc.
29-27 41st Avenue, Suite 812
Long Island City, NY 11101
Telephone: 718-472-2900
Facsimile: 718-472-2909

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
F&H TRADENAME, LLC, and CHARLES
SQUARE CAMBRIDGE LLC,

Index No. 10 CV 8843
AFFIDAVIT OF SERVICE

Plaintiff (s),

-against-

NY CHARLES HOTEL, INC. and CHARLES CHONG,
a.k.a CHOL HO CHONG, individually,

Defendant (s).

-----X
STATE OF NEW YORK)

:s.s:

COUNTY OF QUEENS)

EDDIE SANTAMARIA, being duly sworn, deposes and says:

I am not a party to this action, am over the age of eighteen years, and
reside in the State of New York.

On the 29th day of November, 2010, at approximately 1:30 p.m. at 893 Broadway,
New York, New York, I served true copies of the SUMMONS IN A CIVIL CASE;
COMPLAINT; CIVIL COVER SHEET; PRACTICES OF JUDGE JOHN F. KEENAN
and ELECTRONIC CASE FILING RULES & INSTRUCTIONS, in the above entitled-
action, upon NY CHARLES HOTEL, INC., defendant herein named, by personally
delivering to and leaving thereat true copies of the above mentioned documents with
Jannai Suh. At time of service, Ms. Suh identified herself as the Director of
Marketing/Events Manager for NY Charles Hotel, Inc. and as a person authorized to
accept service of process for NY Charles Hotel, Inc.

Ms. Suh is an Asian-American female, approximately 30-33 years of age, 5'7" tall, 110 lbs, with dark hair and dark eyes.

Sworn to before me this,
29th day of November, 2010



NOTARY PUBLIC


EDDIE SANTAMARIA
License No. 1102704

CLENDY J. CALDERON
Notary Public, State of New York
No. 01CA6115564
Qualified in Queens County
Commission Expires September 7, 2012 